

**STATE BUILDING CODE
TECHNICAL REVIEW BOARD**

**INTERPRETATIONS
OF THE
VIRGINIA UNIFORM STATEWIDE
BUILDING CODE**

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PREFACE

The Virginia State Building Code Technical Review Board is a governor-appointed board within the Virginia Department of Housing and Community Development. This board is responsible for hearing appeals arising under the application of the Virginia Uniform Statewide Building Code (USBC), the Virginia Statewide Fire Prevention Code and other regulations of the Department. As a secondary function, the Board interprets the provisions of those codes and makes recommendations to the Virginia Board of Housing and Community Development for future modification, amendment or repeal of such provisions.

Over the past 20 years, the Review Board has issued over 650 interpretations, a vast majority under the earlier editions of the codes. This printing contains only those interpretations determined by the Review Board to be applicable to the current USBC. The earlier interpretations are on file in the Department's records and may need to be considered in the case of an existing building constructed under an earlier edition of the code.

Code enforcement personnel may request the Review Board to reconsider older interpretations for applicability to the current code and may request new interpretations on confusing or unclear provisions. Inquiries should be directed to the Office of the Review Board, Department of Housing and Community Development, 501 North Second Street, Richmond, Virginia 23219.

As the USBC incorporates by reference model codes and standards, the following acronyms are used in this booklet to delineate to which model code or referenced standard the interpretation applies:

(BOCA)	- BOCA National Building Code
(CABO)	- CABO One and Two Family Dwelling Code
(NEC)	- NFPA National Electrical Code
(IMC)	- ICC International Mechanical Code
(PMC)	- BOCA National Property Maintenance Code

Note to users: This printing contains interpretations issued by the Review Board through January 2001. Interpretations issued by the Review Board subsequent to this printing are distributed in the Department's *Code Connection* newsletter.

PART II. CONSTRUCTION.

Sections 102.1.1 and 106.1.1
Code Interpretation No. 9/96
First Issued: 6/16/00, 1996 Edition

QUESTION #1: Is the code official's appointment effective on the first day of employment in the application of Section 106.1.1?

ANSWER: The code official's appointment is effective on the date of permanent appointment beyond any stipulated probationary period.

QUESTION #2: Can a local governing body nullify the provisions of Section 102.1.1 or any provision of the USBC by ordinance or policy?

ANSWER: No. See Section 36-97, Definition of "Building regulations," and Section 36-98 of the Code of Virginia.

Section 109.6.2
Code Interpretation No. 4/90
First Issued: 6/14/91, 1990 Edition

QUESTION: If an existing non pressure balanced valve is to be replaced, is it required to be replaced with a pressure balanced valve?

ANSWER: No. Section 109.6.2 permits the valve to be replaced without meeting the requirements for a pressure balancing or a thermostatic mixing valve.

Section 114.10
Code Interpretation No. 7/90
First Issued: 7/19/91, 1990 Edition

QUESTION: Is the electrical service to a building (dwelling unit, etc.) required to be energized in order for an electrical inspector to perform a final inspection?

ANSWER: The code official is authorized by Sections 114.1, 114.4 and 114.5 to perform various inspections of buildings under construction to determine compliance with the provisions of the USBC. In accordance with Section 114.10, the code official is required to perform a final inspection to insure that all work conforms with the USBC. The code official has authority to require that building electrical systems, components or devices be energized as part of the final inspection.

PART III. MAINTENANCE OF EXISTING STRUCTURES.

PMC Sections PM-301.3 and PM-304.14
Code Interpretation No. 11/96
First Issued: 11/17/00, 1996 Edition w/2000 Amendments

QUESTION: May the code official require that the owner of a vacant boarded building remove the boards and have the windows and doors properly maintained so as not cause a blighting problem?

ANSWER: No

PART IV. TECHNICAL AMENDMENTS.

**CABO Sections 310 and 314
Code Interpretation No. 12/96
First Issued: 1/19/01, 1996 Edition w/2000 Amendments**

QUESTION #1: Does the exit referred to in Section 310.1 encompass only the exterior doorway and door, or is the term meant to apply to interior or exterior areas of a dwelling (exit access and exit discharge areas under BOCA)?

ANSWER: The term "exit" denotes just the doorway and door.

QUESTION #2: Is a stairway under Section 314 any change in elevation inside or outside of a dwelling where steps utilizing two or more risers are used between different levels of the dwelling or between the dwelling, porches or decks and the exterior grade?

ANSWER: Yes

**CABO Section 602.7
Code Interpretation No. 3/96
First Issued: 6/19/98, 1996 Edition**

QUESTION #1: Is the definition of the term "noncombustible" as used in Item #4 of Section 602.7 intended to be the same definition of the term as in Section 1202, Mechanical Definitions?

ANSWER: No

QUESTION #2: When unfaced fiberglass batt insulation is used as firestopping in accordance with Section 602.7.1.1, is the requirement of Item #4 of Section 602.7 met?

ANSWER: Yes

**CABO Section 2608.9
Code Interpretation No. 7/93
First Issued: 1/20/95, 1993 Edition**

QUESTION: Does Section 2608.9 require the metallic gas piping system to be bonded to a separate grounding electrode than is required in accordance with Chapters 39-46 of the code?

ANSWER: No. Section 2608.9 does not require a grounding electrode in addition to the requirements of Chapters 39-46.

**BOCA Section 403.1
Code Interpretation No. 17/90
First Issued: 4/17/92, 1990 Edition**

QUESTION: Would a building with a height to the top floor of less than 75-ft. above the lowest level of fire department vehicle access, with an occupiable roof at a level of greater than 75-ft. need to comply with the high-rise requirements?

ANSWER: No

**BOCA Sections 904.9 and 1010.3
Code Interpretation No. 26/90
First Issued: 11/20/92, 1990 Edition**

Table 1010.3 specifies the requirements for buildings with one exit. A building of Use Group R-2 with four dwelling units per floor, three stories above grade and equipped throughout with a sprinkler system in accordance with Section 906.2.1 or 906.2.2 would be allowed to have one exit.

QUESTION: Is it the intent of the USBC to allow that same building to have one exit when it meets Exception No. 2 of Section 904.9, which eliminates the requirement for a sprinkler system?

ANSWER: Yes. To achieve compliance with Section 1010.3, Section 904.9 equates a three story building in which every two dwelling units are separated with a two hour fire separation assembly to that of a three story building provided with sprinklers in accordance with Section 906.2.1 or 906.2.2.

**BOCA Section 2701.1 (NEC Article 230)
Code Interpretation No. 8/96
First Issued: 3/17/00, 1996 Edition**

QUESTION #1: Is a transfer switch for a generator for an optional standby system permitted to be connected to the supply side of the service disconnecting means?

ANSWER: No. However, a transfer switch may be used as the service disconnecting means provided it is listed as service equipment and contains a suitable disconnect in accordance with Article 230.

QUESTION #2: When a transfer switch is used, does the service panel become a subpanel?

ANSWER: Yes, unless the transfer switch contains the service disconnecting means and the panel with the overcurrent protection is located immediately adjacent to the switch in accordance with Section 230-91.

**BOCA Section 2701.1 (NEC Table 310-16)
Code Interpretation No. 44/90
First Issued: 3/18/94, 1990 Edition**

QUESTION: When installing a heat pump/air conditioner which has a nameplate specifying a minimum supply circuit conductor amperage of 16.1 amperes and a maximum branch-circuit short-circuit and ground-fault protective device of 25 amperes in accordance with Article 440, is it permissible to use a 25 amp circuit breaker with 14 AWG NM type cable to supply power to the equipment?

ANSWER: Yes. Since Section 240-3(h) permits HVAC equipment circuit conductors to be protected against over-current current according to Parts C and F of Article 440, the obelisk note at the bottom of Table 310-16 does not apply. All other applicable provisions of the NEC not specifically addressed in the question must be complied with in order to use the stated conductor sizes and over-current protection.

**BOCA Section 2801.2 (IMC Table 403.3)
Code Interpretation No. 10/96
First Issued: 9/15/00, 1996 Edition**

QUESTION: In consideration of the areas listed under the public spaces occupancy classification in Table 403.3, where such areas would not be open to the general public but are not covered in any other occupancy classification (toilet rooms in an office building or locker rooms in a collegiate or professional sports facility); would the public spaces classification be applicable?

ANSWER: Yes

**BOCA Section 2801.2 (IMC 509.4)
Code Interpretation No. 38/90
First Issued: 6/16/93, 1990 Edition**

Section 509.4 states that a commercial exhaust hood suppression system must automatically shut down the fuel or electrical supply to the cooking equipment.

QUESTION #1: If the cooking equipment's fuel source is gas but also contains electrical components such as spark ignition, temperature control devices, tilt assemblies or clocks, blower motors, etc., must the actuation of the suppression system also automatically shut down the electrical supply?

ANSWER: No. The activation of the suppression system is only required to shut off the source of fuel or heat in the cooking equipment which would contribute to the spread of a fire.

QUESTION #2: If an appliance not requiring a hood, such as an enclosed oven or auxiliary cooking equipment, is located under a hood anyway, is its fuel or electrical supply required to be automatically shut down upon activation of the suppression system?

ANSWER: Yes. If its source of fuel is gas.

**BOCA Section 2801.2 (IMC 509.4)
Code Interpretation No. 27/90
First Issued: 11/20/92, 1990 Edition**

QUESTION: Is it the intent of Section M-509.4 to require lighting fixtures used for illumination of the cooking area and located in the kitchen hood space to shut off with the actuation of the fire suppression system?

ANSWER: No. The lighting fixtures must comply with Section 410-4(c) of the NEC.

**BOCA Section 2801.2 (IMC 602.1)
Code Interpretation No. 20/90
First Issued: 7/17/92, 1990 Edition**

QUESTION: Is it the intent Section 602.1 to prohibit completely sealed (combustion chamber and combustion air) fuel-fired mechanical appliances located in a return-air plenum?

ANSWER: Yes. Section 602.1 prohibits the installation of fuel-fired equipment in plenums. Technical data, research reports or other information may be submitted to the code official to substantiate a modification request for the use of a specific unit listed for that purpose.

**BOCA Section 2801.2 (IMC Chapter 7 and Sections 901 and 926)
Code Interpretation No. 5/96
First Issued: 9/18/98, 1996 Edition**

QUESTION: Is an unvented room heater installed in a building of unusually tight construction required to comply with both Section 926 and Chapter 7?

ANSWER: Yes. Section 901.2 states the requirements of Chapter 9 are in addition to other requirements of the code.